

REMARKS

I. Status of the Claims

At the time of the Action, Claims 1-29 were pending. Claims 2, 6, 17, 20, 21 and 24 have been cancelled hereinabove; the subject matter of Claim 2 has been incorporated in Claim 1.

The drawings were objected to for failing to show every feature of the claims; this objection has been addressed by the cancellation of Claims 6, 17 and 24. Claim 5 was rejected under Section 112, second paragraph as being indefinite for the absence of antecedent basis for the term "the first connector piece;" this rejection has been addressed by amendment above to Claim 5. Claims 1-3 and 18 stand rejected under Section 102(b), and Claims 12-15 and 18-21 stand rejected under Section 103(a). Claims 4-11, 16, 17 and 22-29 are objected to, but are deemed to recite allowable subject matter.

The rejections under Sections 102(b) and 103(a) are addressed below.

**II. Rejections under Section 102(b) Based on
U.S. Patent No. 5,352,017 to Berning (Berning)**

The Action rejects Claims 1 and 18 under Section 102(b) based on Berning, stating that "Figures 1 and 2 show structure as claimed, wherein reclining units may be secured together by two components such that the connection prevents relative horizontal movement but allows relative vertical movement." The Berning device shown in Figures 1 and 2 attaches sections of a sofa. The device has two rails **40, 42** that are mounted to facing sides of two sections of the sofa. The rail **40** has pins **48, 50** that fit within open-ended slots **52, 54** in the other rail **42**. The sections are attached by positioning the pins **48, 50** above the slots **52, 54** and lowering them into place.

Applicants respectfully direct the Examiner's attention to amended Claims 1 and 18, each of which now recites, *inter alia*, that "the interconnecting structure is further configured such that it permits interconnection of the first and second seating units via relative horizontal movement of the first and second seating units as the first and second seating units are brought together from a separated condition." It is clear that the Berning device would not permit interconnection

of the sofa sections via relative horizontal movement of the first and second seating units, as the presence of a head on each of the pins **48, 50** would prevent horizontal entry of the pins **48, 50** into the slots **52, 54**. As such, Berning fails to disclose at least this element of Claims 1 and 18, and therefore cannot anticipate them. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

III. Rejections under Section 102(b) Based on U.S. Patent No. 2,904,101 to Stephan (Stephan)

The Action states that Claims 1-3 are rejected under Section 102(b) based on Stephan, and in particular Figures 4 and 5 thereof. The Action states that "the interconnecting structure is configured such that it 'permits' interconnection of the two chair units when the two units are brought together via a relative horizontal movement." Stephan discloses a locking mechanism mounted on one chair that utilizes two latches **19** that engage an angle bar **35** mounted to the other chair. A hand lever **26** actuates the locking mechanism. Thus, when the two chair units are positioned in side-by-side relationship, they are not interlocked with each other until the handle **26** is employed to lock them together.

In contrast, Claim 1 recites that "the relative horizontal movement [of the first and second seating units] locks the first and second seating units together." As described above, relative horizontal movement of the chairs of Stephan does not lock the chairs together; only upon actuation of the handle **26** are the chairs interlocked. As such, Applicant respectfully requests that the rejection under Section 102(b) be withdrawn.

IV. Rejections under Section 103(a) Based on Stephan in View of Berning

The Action rejects Claims 18-21 under Section 103(a) based on Stephan in view of Berning. Stephan and Berning are discussed above. The deficiencies of these references discussed above, *i.e.*, the failure to disclose interconnection structure that locks first and second seating units together upon relative horizontal movement, are not overcome by their combination. As such, Applicant respectfully requests that this rejection be withdrawn.

V. **Rejections under Section 103(a) Based on U.S. Patent No. 4,690,440 to Rogers (Rogers) in View of U.S. Patent No. 5,782,507 to (Hardee)**

The Action rejects Claims 12-15 based on Rogers in view of Hardee. Rogers is characterized as disclosing "a structure similar to that claimed" that has a striker bar or post **13** on one component (a gate) that engages a slot **30** in another component (a fence). The Action concedes that the post **13** is not movable in a longitudinal direction. The Action then cites Hardee as teaching the mounting of a striker member **30** "by means of both a pivotal or horizontal movement via slot **32**, wherein the user has a choice of two unlocking movements." The Action then concludes that it would have been obvious to the ordinarily skilled artisan "to have mounted the post **13** of the latching mechanism of Rogers such that it may be disengaged from the slot by a movement along its axis."

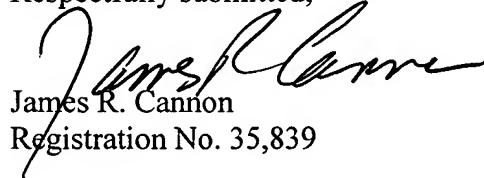
Applicant respectfully directs the Examiner's attention to Claim 12, which has been amended to clarify that the base plates of each of the first and second components are generally horizontal (and, therefore, generally parallel with each other), that the locking finger of the second component rotates about an axis that is normal to the base plate of the second component, and that the post is normal to the base plate of the first component. In contrast, there is no base plate member of Rogers from which the post extends, and clearly there is no base plate member from which the post extends in a normal direction.

Moreover, both Rogers and Hardee are directed to gates within fences. In neither case would one be able to move one object (for example, the gate) in a direction generally parallel with the post; in both Rogers and Hardee, the movement of the gate relative to the fence would be perpendicular to the post, and would require unlatching of the post. As such, even a combination of Rogers and Hardee would not produce a connector that enables the objects to be separated via relative movement of the components in the direction of the post. Accordingly, Applicant respectfully submits that this rejection should not stand and requests that it be withdrawn.

VI. Conclusion

Inasmuch as all of the outstanding issues raised in the Action have been addressed, Applicant respectfully submits that the application is in condition for allowance, and request that it be passed to allowance and issue.

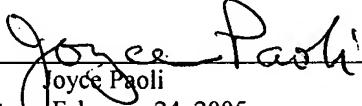
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Signature: 
Joyce Paoli

Date of Signature: February 24, 2005